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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,132	07/09/2001	Katsuaki Kawamura	Q65289	4309

7590

01/16/2004

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2100 Pennsylvania Avenue, N.W.
Washington, DC 20037

EXAMINER

PEREZ, ANGELICA

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 01/16/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/900,132

Applicant(s)

KAWAMURA, KATSUAKI

Examiner

Angelica M. Perez

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 1, line 23, page 2, line 25 and page 3, line 4; the entire line is clustered in one word. This makes the document difficult to read. Further down the document, there are several lines presenting the same problem. Please, revise the entire document. Appropriate corrections are required.
2. Claims 3 and 13 are objected to because of the following informalities: Claim 3 refers to "apparatuses" when it should read "apparatus" as stated in claims 1 and 2 from which it depends. Appropriate correction is required. Claim 13 refers to "music date". It seems like "date" is a typographical error because there is no reference of date or chronological information described in the invention. Therefore, "music data" will be considered in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Uriya (Uriya, Susumu; US Patent No.: 6,574,489).

Regarding claim 1, Uriya teaches of an information communication apparatus comprising: an information communication unit for transmitting and receiving information through communication (column 2, lines 23-25); a vibration notification unit for vibrating to notify the reception of the information (column 2, lines 29-35 and 62-65); and a vibration control unit for generating from an audio signal a driving signal synchronously with the audio signal (column 2, lines 36-48), the vibration control unit for causing the vibration notification unit to vibrate according to the driving signal (column 2, lines 36-40; where the "communication mode " refers to the "driving signal").

Regarding claim 14, Uriya teaches all the limitations according to claim 1. In addition, Uriya teaches where the information communication apparatus further comprises a speaker for outputting the audio signal (figure 2, item 141; column 2, lines 52-55).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 10, 11, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uriya in view of Yamashita (Yamashita, Tomohisa; Patent No.: 6,070,053).

Regarding claim 2, Uriya teaches all the limitations according to claim 1. Uriya also teaches of (an incoming call sound; e.g., "musical interval"; column 14, lines 26-29).

Uriya does not teach of a music reproduction unit for outputting music as the audio signal.

In further art related to ringing sound or melody calling notification in a radio communication system, Yamashita teaches of a music reproduction unit for outputting music as the audio signal (figure 1, item 34 and column 5, lines 7-21 and column 9, lines 11-17).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Uriya's information communication apparatus with Yamashita music reproduction unit for outputting music as the audio signal in order to provide alternatives to the user regarding means for notification of information.

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Regarding claim 10, Uriya in view of Yamashita teaches all the limitations according to claim 2. Yamashita further teaches where the information received by the information communication unit includes voice communication data from an external terminal (column 9, lines 11-17) and music data delivered from an external source (column 5, lines 51-56).

Regarding claim 11, Uriya in view of Yamashita teaches all the limitations according to claim 10. Yamashita further teaches where the music reproduction unit outputs the music as the audio signal based on the music data delivered from the external source (column 4, lines 41-46 and column 7, lines 17-34).

Regarding claim 12, Uriya in view of Yamashita teaches all the limitations according to claim 10. Yamashita further teaches where the information communication apparatus further comprises a memory for storing the music data (column 4, lines 17-20).

Regarding claim 13, Uriya in view of Yamashita teaches all the limitations according to claim 12. Yamashita further teaches where the music reproduction unit generates and outputs the music as the audio signal based on the music data in the memory (column 2, lines 51-54).

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7. Claims 3, 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uriya in view of Yamashita as applied to claim 1 above, and further in view of Saiki (Saiki et al.; US Patent No.: 6,259, 935).

Regarding claim 3, Uriya in view of Yamashita teaches all the limitations according to claim 2.

Uriya in view of Yamashita does not specifically teach where the vibration control unit generates the driving signal based on low frequency components of the audio signal.

In further art related to converting a signal into vibration or vibration and sound, Saiki teaches where the vibration control unit generates the driving signal based on low frequency components of the audio signal (figure 4, item fo1 and column 6, lines 24-27).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Uriya and Yamashita vibration communication unit with Saiki's generation of the driving signal based on the low frequency components of the audio signal with the purpose of generating a vibration as a preferred indicator.

Regarding claim 6, Uriya in view of Yamashita teaches all the limitations according to claim 3. Furthermore, Saiki teaches where the vibration notification unit comprises a vibration unit for vibrating with a self-resonance frequency; and where the vibration control unit comprises a low pass filter having a passing frequency band for passing the low frequency components including the self-resonance frequency; and of the vibration unit (column 6, lines 24-37).

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Regarding claim 7, Uriya in view of Yamashita teaches all the limitations according to claim 3. Also, Saiki teaches and where the vibration control unit comprises a low pass filter having a passing frequency band for passing the low frequency components of the audio signal (figure 7, item 19; columns 11-12, lines 67 and 1-14, respectively).

Regarding claim 8, Uriya in view of Yamashita and in further view of Saiki teaches all the limitations according to claim 7. Also, Saiki teaches where the vibration control unit further comprises an amplifier for amplifying the low frequency components passing through the low pass filter (figure 5, item 14; column 8, lines 54-60).

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uriya and Yamashita in further view of Kanamori and in further view of Osuge (Osuge, Michihiro; US Patent NO.: Kanamori et al.; US Patent No.: 6,1195,571).

Regarding claim 9, Uriya in view of Yamashita and in further view of Saiki teaches all the limitations according to claim 8.

Uriya in view of Yamashita and in further view of Saiki does not teach where the vibration control unit further comprises a rectifier for rectifying the low frequency components output from the amplifier to generate the driving signal.

In further art regarding automatic switching notification devices, Osuge teaches where the vibration control unit further comprises a rectifier for rectifying the low frequency components output from the amplifier to generate the driving signal (figure 7, item 51 and column 6, lines 12-20).

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It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Uriya in view of Yamashita and in further view of Saiki vibration control unit with Osuge's rectifier in order to rectify the low frequency components output from the amplifier to generate the driving signal.

9. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uriya in view of Yamashita as applied to claim 1 above, and further in view of Kanamori (Kanamori et al.; US Patent No.: 6,662,022).

Regarding claim 4, Uriya in view of Yamashita teaches all the limitations according to claim 2.

Uriya in view of Yamashita does not teach where the music reproduction unit stops music reproduction if the information communication unit receives the information during music reproduction.

Kanamori further teaches where the music reproduction unit stops music reproduction if the information communication unit receives the information during music reproduction (column 9, lines 59-64).

It would have been obvious to a one of ordinary skill in the art at the time the invention was made to combine Uriya in view of Yamashita music reproduction unit with Kanamori's teachings where the music reproduction unit stops music reproduction if the information communication unit receives the information during music reproduction; in this manner, the user is able to avoid missing the information.

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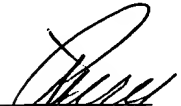
Regarding claim 5, Uriya in view of Yamashita teaches all the limitations according to claim 2. Kanamori further teaches where the music reproduction restarts when the incoming status detection unit detects that the information communication unit completes receiving the information, if the information is received during music reproduction (columns 9 and 10; lines 65-67 and 1, respectively).

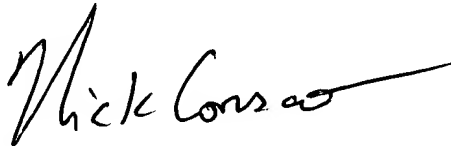
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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 703-305-8724. The examiner can normally be reached on 7:15 a.m. - 3:55 p.m., Monday - Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.


Angelica Perez
(Examiner)



December 31, 2003

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